

1 William D. Hyslop  
2 United States Attorney  
Eastern District of Washington  
3 Brian M. Donovan  
4 Assistant United States Attorney  
Post Office Box 1494  
5 Spokane, WA 99210-1494  
6 Telephone: (509) 353-2767

7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 \$8,170.00 U.S. CURRENCY,

13 Defendant.

14 VERIFIED COMPLAINT FOR  
15 FORFEITURE *IN REM*

16 Plaintiff, United States of America, by its attorneys, William D. Hyslop, United  
17 States Attorney for the Eastern District of Washington, and Brian M. Donovan,  
18 Assistant U.S. Attorney, brings this complaint and alleges as follows in accordance  
19 with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:  
20  
21

22 I. NATURE OF THE ACTION

23 1. This is an action to forfeit and condemn to the use and benefit of the  
24 United States of America the above-captioned Defendant property seized by the  
25 United States Postal Inspection Service for violations of Title II of the Controlled  
26 Substances Act, 21 U.S.C. § 801 et seq.  
27

28 VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

II. THE DEFENDANT(S) IN REM

2. The Defendant property consists of the following property:

\$8,170.00 U.S. currency, seized by the United States Postal Inspection Service on May 20, 2019, pursuant to the execution of a Federal Search and Seizure Warrant.

III. JURISDICTION AND VENUE

3. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court has *in rem* jurisdiction over the Defendant property under 28 U.S.C. § 1355(b).

4. Upon the filing of this complaint, Plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which Plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

5. Venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred in this district.

IV. BASIS FOR FORFEITURE

6. Plaintiff repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 5 above.

7. The Defendant property is liable to condemnation and forfeiture to the United States for its use, in accordance with the provisions of 21 U.S.C. § 881(a)(6),

1 because it constitutes: 1) money, negotiable instruments, securities and other things  
2 of value furnished and intended to be furnished in exchange for a controlled substance  
3 in violation of the Controlled Substances Act; 2) proceeds traceable to such an  
4 exchange; and/or 3) money, negotiable instruments, and securities used and intended  
5 to be used to facilitate a violation of the Controlled Substances Act.  
6

#### 7 V. FACTS

8  
9 8. In 2019, from April through May, the United States Postal Inspection  
10 Service (“USPIS”) conducted an interdiction. USPIS investigated parcel information  
11 in many parts of Washington State, including Yakima. The interdiction targeted  
12 inbound Express and Priority Mail parcels and envelopes possibly containing  
13 narcotics or monetary proceeds derived from illegal drug trafficking activity.  
14

15 9. On or about April 29, 2019, United States Postal Inspectors flagged a  
16 parcel they wanted to investigate further due to multiple suspicious characteristics,  
17 including a handwritten label and a shipping ZIP code that differed from the ZIP code  
18 listed in the return address. This parcel (the “Subject Parcel”) was addressed to “PJ  
19 Murphy, 517 N. 27th Ave Unit A, Yakima WA 98902,” with a return address of  
20 “David Anthony, 1021 Martin St, Haines City FL 33844.” The Subject Parcel was  
21 postmarked April 23, 2019, from ZIP code 32303, a ZIP code from Tallahassee,  
22 Florida, and carried \$14.35 in postage that was paid for in cash. The Subject Parcel  
23 was shipped from Tallahassee, Florida, to Yakima, Washington. The Subject Parcel is  
24 presently in the custody and control of USPIS.  
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1           10. After flagging the Subject Parcel, United States Postal Inspectors directed  
2 the Yakima United States Postal Office to look for the Subject Parcel and to forward it  
3 to Tukwila, Washington, in the Seattle area, for further inspection. The Subject Parcel  
4 was received on May 2, 2019.  
5

6           11. On May 2, 2019, to further the investigation, the assistance of Tukwila  
7 Police Detective James C. Sturgill and his canine partner, "Apollo," was requested by  
8 a postal inspector. Due to the suspicious characteristics of the Subject Parcel and those  
9 characteristics being associated with narcotics trafficking, Detective Sturgill and  
10 canine Apollo tested whether the Subject Parcel had an odor of narcotics associated  
11 with it. To test this, Inspector Nelson Rivera concealed the Subject Parcel in a  
12 warehouse storage area, free of the scent of narcotics and outside of the view of canine  
13 Apollo. Detective Sturgill and Apollo then searched the warehouse storage area in a  
14 systematic manner. There was an immediate change in Apollo's posture and behavior  
15 as he alerted to the odor of narcotics emanating from the Subject Parcel by performing  
16 a "sit." Ex. 1 at 18 (Sturgill Aff., Attachment C).  
17  
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21           12. Using United States Postal Service and law enforcement databases,  
22 Inspector Rivera, researched the sender name and address listed on the Subject Parcel.  
23 The address "1021 Martin St., Haines City, FL 33844" is a true and deliverable  
24 address, but no individual by the name of "David Anthony" is associated with the  
25 address. Inspector Rivera also searched the recipient address and learned it is a true  
26  
27  
28



1 and deliverable address, but there is no individual by the name of “PJ Murphy”  
2 associated with the address.

3 13. Inspector Rivera applied for a search warrant. The application contained  
4 Inspector Rivera’s Affidavit, incorporated herein, which described why there was  
5 probable cause to conclude that the Subject Parcel contained controlled substances,  
6 currency, documents, narcotics packaging, or other evidence of the mailing and  
7 distribution of controlled substances. Ex. 1 at 9-15. On May 20, 2019, the warrant was  
8 signed by Magistrate Judge Mary K. Dimke. Ex. 1 at 21.

11 14. Also, on May 20, 2019, the federal search warrant was executed on the  
12 Subject Parcel. An Inspector opened the outer mailing box and removed a few articles  
13 of clothing. In between the items was a stack of U.S. Currency that had been secured  
14 with two rubber bands. The Subject Parcel did not contain any notes, receipts, or  
15 instructions. The U.S. Currency found in the Subject Parcel totaled \$8,170, consisting  
16 mostly of twenty-dollar bills. *See* Ex. 1 at 22; Ex. 2 at 29; *see also* Ex. 3 at 32.

19 15. On June 18, 2019, USPIS provided notice of the seizure of the Subject  
20 Parcel to interested parties.

22 16. On July 8, 2019, USPIS received a claim and petition to the property  
23 from Phyllis Murphy. Ms. Murphy alleged in her claim form that “[t]he monies that  
24 you took via seizure are not part of any money laundering it is repayment from a past  
25 loan. The monies were sent via mail because depositing it to my bank was not  
26 possible and supposedly mailing money is not illegal.” Ex. 3 at 33. Claimant did not

1 provide any corroborating information in support of her claim, such as the name of the  
2 lende, address of the lende, reason for the loan, documentation for the loan, or any  
3 other information that would support her allegation.  
4

#### 5 VI. CONCLUSION

6 WHEREFORE, Plaintiff requests that the Clerk of the Court issue a warrant for  
7 the arrest of the Defendant property; that notice of this action be given to all persons  
8 who reasonably appear to be potential claimants of interests in the property; that the  
9 Defendant property be forfeited and condemned to the United States of America; that  
10 Plaintiff be awarded its costs and disbursements in this action and for such other and  
11 further relief as this Court deems proper and just.  
12  
13

14 DATED this 3<sup>rd</sup> day of October 2019.

15 William D. Hyslop  
16 United States Attorney

17 s/ Brian M. Donovan  
18 Brian M. Donovan  
19 Assistant United States Attorney  
20

#### 21 VERIFICATION

22 I, Justin Lothyan, hereby verify and declare under penalty of perjury that I am a  
23 United States Postal Inspector with the United States Postal Inspection Service in  
24 Seattle, Washington, that I have read the foregoing Verified Complaint *in rem* and  
25 know the contents thereof, and that the matters contained in the Verified Complaint  
26  
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1 are true to my own knowledge, except those matters herein stated to be alleged on  
2 information and belief, and as to those matters I believe them to be true.

3 The sources of my knowledge and information and the grounds of my belief are  
4 the official files and records of the United States and information supplied to me by  
5 other law enforcement officers, as well as my investigation of this case, together with  
6 others, as a United States Postal Inspector.

7 I hereby verify and declare under penalty of perjury that the foregoing  
8 information is true and correct.

9 DATED this 3<sup>rd</sup> day of October 2019.

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14 Justin Lothyan, U.S. Postal Inspector  
15 United States Postal Inspection Service  
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## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         | PTF                        | DEF                        |                                                               | PTF                        | DEF                        |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education <b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from Another District (specify)    ☐ 6 Multidistrict Litigation - Transfer    ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

# INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



## UNITED STATES DISTRICT COURT

for the  
Eastern District of WashingtonIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)One Priority Express mail parcel addressed to  
PJ Murphy, 517 N. 27th Ave, Unit A,  
Yakima, WA 98902

Case No. 1:19-MJ-04039-MKD

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See attachment A incorporated herein by reference

located in the Eastern District of Washington, there is now concealed (identify the person or describe the property to be seized):

See attachment B incorporated herein by reference

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: *Offense Description*

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. 841(a)(1)	Distribution and Possession with intent to distribute controlled substance
21 U.S.C. 843(b)	Unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substance

The application is based on these facts:  
 Attached Affidavit in Support of Search Warrant incorporated herein by reference

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*Nelson Y. Rivera**Applicant's signature*

Nelson Y. Rivera, United States Postal Inspector

*Printed name and title*☒ Sworn to telephonically and signed electronically☐ Sworn to before me and signed in my presence.Date: 5/20/2019City and state: Yakima, Washington*M. K. Dimke**Judge's signature*

MARY K. DIMKE, U.S. Magistrate Judge

*Printed name and title*

AUSA: ILG

YAKIMA COUNTY

EXHIBIT 1

1 *AUSA Assigned: Ian L. Garriques*

2 *County of Investigation: Yakima County*

3  
4 *In Re: Affidavit in Support of an Application for Search Warrant for the SUBJECT*  
5 *PARCEL currently located at 807 W. 2nd St., Cle Elum, WA 98922*

6  
7 **AFFIDAVIT**

8 I, Nelson Y. Rivera, being first duly sworn on oath, depose and say:

9 **BACKGROUND**

10 1. I am a United States Postal Inspector, assigned to investigate the unlawful  
11 transportation of contraband, including Title 21 controlled substances, through the United  
12 States Mail. I have been employed as a Postal Inspector since February 2012 and am  
13 currently assigned to Seattle Division Headquarters, located in Seattle, Washington. As  
14 part of my duties, I investigate the use of the United States Postal Service (USPS) to  
15 illegally mail and receive controlled substances, the proceeds of drug trafficking, and  
16 instrumentalities associated with drug trafficking, in violation of Title 21, United States  
17 Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled  
18 substances), and 843(b) (unlawful use of a communication facility, including USPS, to  
19 facilitate the distribution of controlled substances). I have completed U.S. Postal  
20 Inspection Service (USPIS) Basic Inspector Training in Potomac, Maryland and received  
21 specialized training in the investigation of controlled substances in the United States  
22 mails. I have received training on the identification of controlled substances, interdiction  
23 of controlled substances and proceeds thereof. I have also become familiar with methods  
24 used by individuals to hide, convert, or otherwise conceal illicit narcotics proceeds, and  
25 the efforts of persons engaged in transportation and laundering of illicit proceeds to avoid  
26 detection, apprehension, and seizure by law enforcement.

27 2. The information contained in this affidavit is based upon knowledge I  
28 gained from my investigation, my personal observations, my training and experience, and

1 investigation by other inspectors, agents, and officers. Because the purpose of this  
2 affidavit is limited to setting forth probable cause to search the SUBJECT PARCEL  
3 described below, I have not set forth every fact of which I am aware pertaining to the  
4 investigation. Rather, I have included only those facts relevant to the determination of  
5 probable cause.

6 3. Through my training and experience, I am aware that the USPS is often  
7 used to transport controlled substances and/or the proceeds from the sales of controlled  
8 substances throughout the United States. I have learned and observed that sometimes  
9 drug traffickers mail controlled substances and proceeds in the same parcel. I am also  
10 aware that proceeds from the sales of controlled substances are transported in the form of  
11 cash, money orders and other monetary instruments. I am aware that cash, as well as  
12 money orders purchased with cash, are desirable forms of payment for drug traffickers,  
13 given that they are difficult for law enforcement to track.

14 4. I also know that drug traffickers prefer delivery services such as USPS  
15 Express and Priority Mail because of the reliability of these services and the ability to  
16 track the article's progress to the intended delivery point. When a drug trafficker learns  
17 that a mailed article has not arrived as scheduled, he/she becomes suspicious of any  
18 delayed attempt to deliver the item.

19 5. In addition, I am aware that the USPS Express and Priority Mail services  
20 were custom-designed to fit the needs of businesses by providing overnight delivery for  
21 time-sensitive materials. Business mailings often contain typewritten labels, are in flat  
22 cardboard mailers, and usually weigh less than eight (8) ounces. Businesses often use  
23 corporate charge accounts and/or print their account number on the Express and Priority  
24 Mail label in order to expedite transactions with USPS.

25 6. Based on my training and experience concerning the use of Express and  
26 Priority Mail for the transportation of controlled substances and/or the proceeds from the  
27 sales of controlled substances, I am aware that these parcels usually contain some or all  
28



1 of the following characteristics (which are different than characteristics of parcels being  
2 sent by legitimate businesses):

- 3           a. Unlike typical Express and Priority Mail business mailings which  
4           usually have typed labels, parcels containing controlled substances  
5           and/or proceeds often have handwritten address information. In  
6           addition, the address information often contains misspelled words or  
7           incomplete/incorrect addresses. This is done in an effort to help  
8           conceal the true identities of the individuals involved.
- 9           b. The handwritten label on Express and Priority Mail parcels  
10          containing controlled substances and/or proceeds often does not  
11          contain a business account number and/or credit card number. This  
12          is an indication that the sender likely paid cash. A credit card or  
13          business account number would more likely enable law enforcement  
14          officers to connect the parcel to identifiable individuals.
- 15          c. Express and Priority Mail parcels containing controlled substances  
16          and/or proceeds often stand out from typical business mailings as  
17          they do not bear any advertising on the mailing container/box, and  
18          are usually being mailed from one individual to another.
- 19          d. The sender and/or recipient addresses on Express and Priority Mail  
20          parcels containing controlled substances and/or proceeds often are  
21          either fictitious or persons not known to postal personnel familiar  
22          with the addresses listed.
- 23          e. The zip codes for the sender addresses on Express and Priority Mail  
24          parcels containing controlled substances and/or proceeds often are  
25          different from the zip codes of the post offices from where the  
26          parcels were mailed.
- 27          f. Express and Priority Mail parcels containing controlled substances  
28          and/or proceeds are often heavily taped on their seams in an effort to  
            conceal scent.
- g. Express and Priority Mail parcels containing controlled substances  
            and/or proceeds often include a waiver of signature.

1           7.       Inspectors who encounter a parcel with any or all of the above  
2 characteristics often further scrutinize the parcel by, among other tactics, conducting  
3 address verifications and using a trained narcotic-detecting canine.

4                               **ITEMS TO BE SEARCHED**

5           8.       This affidavit is made in support of an application for a search warrant for  
6 one USPS Express Mail parcel, hereafter referred to as the "SUBJECT PARCEL," which  
7 is currently located at 807 W. 2nd St., Cle Elum, WA 98922, and which is further  
8 described in Attachment A, attached hereto and incorporated herein by reference,. This  
9 parcel is believed to contain controlled substances, evidence associated with controlled  
10 substances distribution as described below, or proceeds from the sale of controlled  
11 substances. The SUBJECT PARCEL, presently in the custody and control of the United  
12 States Postal Inspection Service in the Eastern District of Washington, is further  
13 described as follows: One Priority Express mail parcel addressed to "PJ Murphy, 517 n  
14 27<sup>th</sup> Ave Unit A, Yakima WA 98902," with a return address of "David Anthony, 1021  
15 Martin St, Haines City FL 33844." This parcel measures approximately 11" x 8" x 6 with  
16 a weight of approximately 3 pounds and 8 ounces. The SUBJECT PARCEL is  
17 postmarked April 23, 2019, from zip code 32303, Tallahassee, FL and carries \$14.35 in  
18 postage. The delivery confirmation number is 9505 5134 4218 9113 3041 10.

19                               **ITEMS TO BE SEIZED**

20           9.       The application requests that law enforcement officers and agents be  
21 authorized to seize the following from the SUBJECT PARCEL, which constitute the  
22 fruits, instrumentalities, and evidence of mailing and distribution of controlled substances  
23 in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and  
24 possession with intent to distribute controlled substances) and 843(b) (unlawful use of a  
25 communication facility, including the U.S. mails, to facilitate the distribution of  
26 controlled substances), as described in Attachment B, and incorporated by reference  
27 herein:  
28

- a. Controlled substances, such as, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;
- b. Monetary instruments, such as, currency, money orders, bank checks, and gift cards;
- c. Controlled substance-related paraphernalia and packaging;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

### BACKGROUND OF INVESTIGATION

10. From April through May, 2019, the U.S. Postal Inspection Service was conducting an interdiction, investigating parcel information in many parts of Washington State, including Yakima, WA. The emphasis for the interdiction was targeting inbound Express and/or Priority Mail parcels and envelopes possibly containing narcotics and/or monetary proceeds derived from illegal drug trafficking activity.

11. On or about April 29, 2019, in Yakima, WA, the SUBJECT PARCEL was initially identified as a suspicious parcel due to the fact that the parcel is marked with a handwritten label which does not contain any business account information or telephone numbers and was shipped from a zip code differing from one listed in the return address. In addition the SUBJECT PARCEL was shipped from Tallahassee, FL to Yakima WA. I know through my training and experience that Florida is a destination state for marijuana parcels shipped from the source state of Washington. Postage for the SUBJECT PARCEL was paid in cash. I know through my training and experience that these are tactics commonly used by drug traffickers using the U.S. Mails in an attempt to elude detection by law enforcement. The SUBJECT PARCEL was forwarded and received by



1 USPIS in Seattle, Washington on May 2, 2019, and presented to a narcotics detection  
2 canine, which alerted to the SUBJECT PARCEL for the scent of narcotics. The  
3 SUBJECT PARCEL is now in my custody and control and has been transported back to  
4 the Eastern District of Washington for search warrant presentation and execution.

5 12. Using USPS and law enforcement databases, I researched the sender name  
6 and address listed on the SUBJECT PARCEL. I learned that the address "1021 Martin St,  
7 Haines City FL 33844" is a true and deliverable address; however, no individual by the  
8 name of "David Anthony" is associated with the address. I also searched for variations  
9 for the name and was not able to identify anyone residing in that residence or town with  
10 the name "David Anthony".

11 13. Using USPS and law enforcement databases, I also researched the recipient  
12 address. I learned that the address is a true and deliverable address; however, there is no  
13 individual by the name of "PJ Murphy" associated with the address. I also searched for  
14 the last name Murphy and I was unable identify anyone with the last name Murphy  
15 associated with this address.

16 14. Based upon this information, on May 2, 2019 at approximately 1:00 PM,  
17 inspectors requested the assistance of Tukwila Police Detective J. Sturgill and his canine  
18 partner "Apollo" at the Seattle Processing and Distribution Center located at 10700 27<sup>th</sup>  
19 Ave. S., Seattle, WA 98168. Inspectors concealed the SUBJECT PARCEL in a  
20 warehouse storage area, free of the scent of narcotics and outside the view of canine  
21 Apollo. At approximately 1:19 PM, Detective Sturgill and Apollo began to search the  
22 warehouse storage area in a systematic manner. At approximately 1:31 PM, Detective  
23 Sturgill observed an immediate change in Apollo's posture and behavior as he alerted to  
24 the odor of narcotics emanating from the SUBJECT PARCEL by performing a 'sit.'  
25 Attachment C contains an affidavit detailing Detective Sturgill's training and experience  
26 with canine Apollo.  
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**CONCLUSION**

15. Based on the facts set forth in this Affidavit, I believe there is probable cause to conclude that the SUBJECT PARCEL contains controlled substances, currency, documents, narcotics packaging, or other evidence, more fully identified in Attachment B, of the mailing and distribution of controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances).

*Nelson Y. Rivera*

\_\_\_\_\_  
Nelson Y. Rivera  
United States Postal Inspector

SUBSCRIBED electronically and SWORN telephonically to before me this 20th day of May, 2019.

*M. K. Dimke* 

\_\_\_\_\_  
MARY K. DIMKE  
United States Magistrate Judge

**ATTACHMENT A**

**Parcel to be searched**

1. One Priority Express mail parcel addressed to "PJ Murphy, 517 n 27<sup>th</sup> Ave Unit A, Yakima WA 98902," with a return address of "David Anthony, 1021 Martin St, Haines City FL 33844." This parcel measures approximately 11" x 8" x 6 with a weight of approximately 3 pounds and 8 ounces. The SUBJECT PARCEL is postmarked April 23, 2019, from zip code 32303, Tallahassee, FL and carries \$14.35 in postage. The delivery confirmation number is 9505 5134 4218 9113 3041 10.

ATTACHMENT A - 1  
PARCEL TO BE SEARCHED

**ATTACHMENT B**Items to be seized

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section 841(a)(1), distribution and possession with intent to distribute controlled substances, and Section 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

- a. Controlled substances, such as, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;
- b. Monetary instruments, such as, currency, money orders, bank checks, and gift cards;
- c. Controlled substance-related paraphernalia and packaging;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

ATTACHMENT B - 1  
ITEMS TO BE SEIZED



ATTACHMENT C

**Tukwila Police Department  
Anti-Crime Team K-9**

Detective James Sturgill  
May 2, 2019

---

**DETAILS**

On May 2, 2019 at 1319 hours, I, Tukwila Police Detective/ USPIS TFO J. Sturgill assisted USPIS with a suspicious parcel at the Seattle Processing and Distribution Center located at 10700 27th Avenue South, Tukwila, Washington 98168. My canine partner (Apollo) and I searched a warehouse to clear it of any scent of narcotics. USPIS Inspector Nelson Rivera then placed the suspicious package in the warehouse of the view of my canine partner, "Apollo" and I. At approximately 1319 hours, Apollo and I started the search for the suspicious parcel by sniffing the warehouse in a systematic manner. Upon encountering the parcel, Apollo stopped and took several deep breaths and sat. When Apollo sits, it is an indication to me that he could smell the odor of narcotics coming from the parcel. I rewarded Apollo with a rubber ball. At approx. 1331 hours, Apollo alerted on the following parcel:

**Tracking #: 9505 5134 4218 9113 3041 10**

**Sender: David Anthony. 1021 Martin St, Haines City FL 33844**

**Recipient: PJ Murphy 517 n 27<sup>th</sup> Ave Unit A, Yakima WA**

This concludes my involvement in the case.

**OFFICERS TRAINING/EXPERIENCE**

I, James Sturgill have been a commissioned law enforcement officer for the past sixteen years. I am employed by the City of Tukwila and have recently been assigned to the Tukwila Anti-Crime Team; I am currently the K-9 Narcotic's Detective assigned to that unit. During my career, I have investigated several narcotics-related crimes in and around the City of Tukwila.

My current duties include investigating federal and state narcotics violations within the jurisdiction of the County of King, the State of Washington, and the United States.

During my career, I have received extensive training to include: 720 hours at the Washington State Criminal Justice Training Center's Basic Law Enforcement Academy. This training includes numerous hours of instruction on Criminal Law, Property Crimes, Crimes against Persons, basic report writing, Narcotics Investigations and recognition (including the recognition of marijuana, cocaine, heroin and methamphetamine). I have received further training to assist me with narcotics investigations and arrests. In 2006, I received 48 hours of Gang Investigation and Street Crimes training. These courses included gang and narcotic recognition, buy bust operations, surveillance and interview techniques, how narcotics are transported and where narcotics can be hidden in vehicle's, homes, and in humans. In 2013, I received 24 hours of similar training by attending Gangs in the Northwest and Street Survival. I also attended How to Manage a CI in 2013. This course focused on how to interview suspects of narcotics



## ATTACHMENT C

related offenses and how to turn that person into a confidential informant. This course included interview techniques and basic search warrant preparation and service. In 2014, 2015 and 2018, I received nationally recognized narcotics training provided by California Narcotics Officers Association (CNOA). In 2014, 2015 and 2018 I received nationally recognized narcotics training provided by Washington State Narcotics Investigators Association (WSNIA). Both CNOA and WSNIA are 4-day classroom courses containing numerous narcotic related classes. In 2015 and 2018, I attended Operation Jetway Interdiction training. This 32-hour classroom course is conducted by EPIC/DEA and focuses on the many ways that police officers can interdict drugs and drug proceeds from DTO's. In 2016, I completed the 200-hour Washington State Narcotic's Canine Course. During the 6-week course, my canine partner "Apollo" was trained to identify and alert on the odors of Cocaine, Heroin, Methamphetamine and Marijuana. In 2017, I received 40 hours of classroom interdiction training with the nationally recognized International Narcotics Interdiction Association (INIA). During the early part of my career, I worked numerous cases with the Tukwila Anti-Crime (TAC) Team, working as a uniformed take down officer. I assisted the TAC Team with several buy walks and buy busts during my career. I also personally investigated numerous VUCSA cases while working as a patrol officer in the City of Tukwila.

By virtue of my assignment with the TAC Team, I am authorized to conduct investigations into violations of the Controlled Substances Act. In doing so, I have conducted a variety of investigations into violations ranging from simple possession of narcotics to the sales of narcotics. Because of this experience and training, I am familiar with common methods of investigating drug trafficking and have become familiar with the methods of operation of drug traffickers, their use of cellular telephones, telephone pagers, emails, and other electronic means of communication to further their narcotics trafficking activities; and their use of numerical codes, code words, counter-surveillance, and other methods of avoiding detection by law enforcement. I am also familiar with the various methods of packaging, delivering, transferring, and laundering.

I have participated in the execution of narcotics search warrants. Most commonly, these warrants authorize the search of locations ranging from the residences of drug traffickers and their coconspirator/associates, to locations used to manufacture, distribute and hide narcotics and drug proceeds. Materials searched for and often recovered in these locations include packaging materials, manufacturing items, scales, weapons, documents and papers reflecting the distribution of controlled substances and the identity of coconspirator associates, and papers evidencing the receipt, investment, and concealment of proceeds derived from the distribution of controlled substances.

### CANINE QUALIFICATIONS

I'm currently assigned to the Tukwila Anti-Crime Team and handle a narcotics canine as a collateral duty. In November 2016, I completed the state mandated requirement of 200 hours of canine narcotics specific training and met the canine performance standards set by the Washington Administrative Code (W.A.C.) 139-05-915 for the Narcotic Dog Handler (General Detection).

On November 13, 2016 Canine "Apollo" and I were certified as a team by the Washington State Police Canine Association. We recertified on January 8th, 2019 in Bothell, WA. The WSPCA is an organization with voluntary membership to improve training and effectiveness of canine teams statewide. The WSPCA certification is also voluntary with more stringent standards than the state requirement. The substances trained on by the team are cocaine, heroin, methamphetamine and marijuana.

Apollo is a passive alert canine and he is trained to give a "sit response" after having located the specific

ATTACHMENT C

location the narcotics odor is emitting from. The handler is trained to recognize the changes of behavior the canine exhibits when it begins to detect the odor of narcotics. The odor can be emitting from the controlled substance itself, or it can be absorbed into items such as currency, clothing, containers, packaging material, etc. Narcotic smelling canines such as "Apollo" have an inherently keen sense of smell and will continue to alert on the container or item depending on the length of exposure to the controlled substance, and the amount of ventilation the item is exposed to.

Apollo's reward for finding narcotics / narcotic related items is a rubber ball or leather strap. Apollo and I continue to train on a regular basis to maintain our proficiency as a team.

On-going training includes or will include:

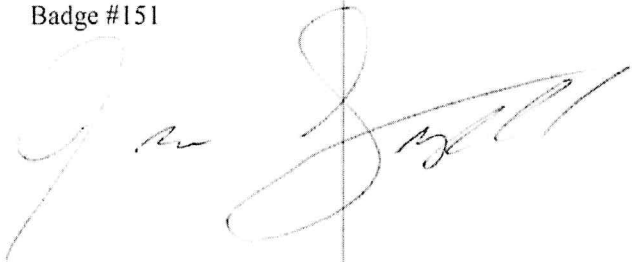
- Training in all areas of interdiction, such as vehicles, boats, truck tractor and trailers, schools, currency, parcels and mail, airports and airplanes, bus and bus depots, storage units, residences, trains and train depots, prisons, motels, apartments, etc.
- Training on various quantities of controlled substances, ranging from grams to ounces, and pounds when available.
- Training on novel odors, such as odors that are distracting, masking, or new.
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present
- Training in "Double Blind" scenarios
- Extinction training, which proofs the dog and prevents him from alerting to common items associated with controlled substances, such as plastic bags, etc.

I maintain both training logs and field activity/application reports. Both are available for review upon request. At this time the team has found over 1000 narcotics substance training aids and 86 applications in the field resulting in the seizure of narcotics and currency.

Canine Apollo is trained to detect the presence of marijuana, heroin, methamphetamine, and cocaine. Canine Apollo cannot communicate which of these substances he has detected. Canine Apollo can detect minuscule amounts of these four substances. Canine Apollo cannot communicate whether the detected substance is present as residue or in measurable amounts. Despite these limitations, canine Apollo's alert provides probable cause to believe that evidence of a Violation of a Uniform Controlled Substance Act may be found where the canine provides a positive alert for the odor of controlled substances.

I certify or swear under the penalty of perjury the foregoing statement is true and correct.

Detective James C. Sturgill  
Tukwila Police TAC Team  
Badge #151





## UNITED STATES DISTRICT COURT

for the  
Eastern District of Washington

In the Matter of the Search of )  
(Briefly describe the property to be searched )  
or identify the person by name and address) ) Case No. 1:19-MJ-04039-MKD  
One Priority Express mail parcel addressed to )  
PJ Murphy, 517 N. 27th Ave, Unit A, )  
Yakima, WA 98902 )

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Eastern District of Washington  
(identify the person or describe the property to be searched and give its location):

See Attachment A incorporated herein by reference

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B incorporated herein by reference

**YOU ARE COMMANDED** to execute this warrant on or before May 31, 2019 (not to exceed 14 days)  
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Mary K. Dimke  
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for        days (not to exceed 30) ☐ until, the facts justifying, the later specific date of       .

Date and time issued: 9:40 PM, May 20, 2019

   
Judge's signature

City and state: Yakima, Washington

MARY K. DIMKE, U.S. Magistrate Judge  
Printed name and title

AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

<b>Return</b>		
Case No.: 1:19-MJ-04039-MKD	Date and time warrant executed: <i>5/20/2019</i>	Copy of warrant and inventory left with: <i>USPS</i>
Inventory made in the presence of: <i>C. Leimer, FBI</i>		
Inventory of the property taken and name of any person(s) seized:  <i>\$8,170.00 in USC.</i>  <div style="text-align: center; font-size: 2em; margin-top: 50px;"><i>mk</i></div>		
<b>Certification</b>		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;"> <p>Date: <u><i>5/20/19</i></u></p> </div> <div style="width: 60%; text-align: center;"> <p><i>[Signature]</i></p> <p>Executing officer's signature</p> <p><i>Nelson, J. H. V. Jr.</i></p> <p>Printed name and title</p> </div> </div>		

ATTACHMENT A

Parcel to be searched

1. One Priority Express mail parcel addressed to "PJ Murphy, 517 n 27<sup>th</sup> Ave Unit A, Yakima WA 98902," with a return address of "David Anthony, 1021 Martin St, Haines City FL 33844." This parcel measures approximately 11" x 8" x 6 with a weight of approximately 3 pounds and 8 ounces. The SUBJECT PARCEL is postmarked April 23, 2019, from zip code 32303, Tallahassee, FL and carries \$14.35 in postage. The delivery confirmation number is 9505 5134 4218 9113 3041 10.

ATTACHMENT A - 1  
PARCEL TO BE SEARCHED

**ATTACHMENT B****Items to be seized**

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section 841(a)(1), distribution and possession with intent to distribute controlled substances, and Section 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

- a. Controlled substances, such as, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;
- b. Monetary instruments, such as, currency, money orders, bank checks, and gift cards;
- c. Controlled substance-related paraphernalia and packaging;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

ATTACHMENT B - 1  
ITEMS TO BE SEIZED

1 Joseph H. Harrington  
United States Attorney  
2 Ian L. Garriques  
Assistant United States Attorney  
402 E. Yakima Avenue, Suite 210  
3 Yakima, Washington 98901  
(509) 454-4425

5 IN THE UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 IN THE MATTER OF THE  
8 SEARCH OF

NO: 1:19-MJ-04039-MKD

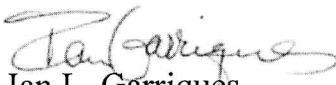
9 One Priority Express mail parcel  
10 addressed to PJ Murphy,  
517 N. 27th Ave, Unit A,  
11 Yakima, WA 98902

United States' Motion to Seal  
Application for Search Warrant,  
Search Warrant, and Affidavit for  
Search Warrant

12  
13 The United States of America, by and through Joseph H. Harrington, United  
14 States Attorney for the Eastern District of Washington, and Ian L. Garriques, Assistant  
15 United States Attorney, moves the Court for an Order sealing the Application for  
16 Search Warrant, Search Warrant, and Affidavit for Search Warrant on the grounds that  
17 disclosure at this time may jeopardize the on-going investigation by the United States  
18 Postal Inspector.  
19

20  
21 DATED May 16, 2019  
22

23 Joseph H. Harrington  
United States Attorney

24   
25 Ian L. Garriques  
26 Assistant United States Attorney  
27  
28



IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

IN THE MATTER OF THE  
SEARCH OF

One Priority Express mail parcel  
addressed to PJ Murphy,  
517 N. 27th Ave, Unit A,  
Yakima, WA 98902

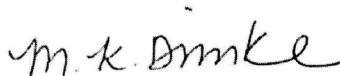
NO: 1:19-MJ-04039-MKD

Order Sealing Application for  
Search Warrant, Search Warrant,  
and Affidavit for Search Warrant

Upon motion by the government,

IT IS ORDERED that the Application for Search Warrant, Search Warrant, and  
Affidavit for Search Warrant be sealed by the Clerk of Court until further order of the  
Court.

Executed this 20th day of May, 2019.

HON. MARY K. DIMKE  
United States Magistrate Judge



## Murphy Case – 2834769-PMN Opening Picture 1



## Murphy Case – 2834769-PMN Opening Picture 2



## Murphy Case – 2834769-PMN Opening Picture 3



## **CLAIM DETAILS**

**Tracking Number:** 1959-9CA-542-70C

**Filed on:** July 08, 2019

**Claimant:** Murphy, Phyllis

### **Documents included:**

\* Standard Online Claim Form

07/08/2019



## CLAIM FORM

**YOU MUST COMPLETE ALL PARTS OF THIS FORM FOR THE ASSETS YOU ARE CLAIMING.**

**Note:** There is no legal form or format required for filing a claim; this document is provided for your convenience. Please visit <https://www.forfeiture.gov/FilingClaim.htm> for more specific guidance on filing your claim with the appropriate seizing agency.

**Frivolous Claim Statement:** If a court finds that a claimant's assertion of an interest in property was frivolous, the court may impose a civil fine. Title 18 United States Code, Subsection 983(h). A false statement or claim may subject a person to criminal prosecution under Title 18 United States Code, Sections 1001 and 1621.

**Privacy Act Notice:** The Department of Justice is collecting this information for the purpose of processing your claim. Providing this information is voluntary; however, the information is necessary to process your application. Information collected is covered by Privacy Act System of Records Notice Department of Justice (DOJ), DOJ-002-DOJ Computer Systems Activity & Access Records, Federal Register (71 FR 29170). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the system of records notice listed above.

**SECTION I - CONTACT INFORMATION****CLAIMANT INFORMATION****Claimant/Contact Name:** (Last, First)

Murphy, Phyllis

**Business/Institution Name:** (if applicable)**Prisoner ID:** (if applicable)**Address:** (Include Street, City, State, and Zip Code)

po box 730996

san jose, CA 95173

**Social Security Number/Tax Identification Number:** (Enter N/A if you do not have one)**Phone:** (optional)**Email:** (optional)

sbts2@aol.com

*If any of this information changes, you are responsible for notifying the agency of the new information.***SECTION II - ASSET LIST***List each asset ID and asset description that you are claiming.*

#	Asset ID	Asset Description
1	19-USP-001659	\$8,170.00 U.S. Currency, SN: **** seized by the USPIS on May 20, 2019 in Yakima, WA.

**SECTION III - INTEREST IN PROPERTY**

*Identify your interest in each of the assets you are claiming. If you are filing for multiple assets and the responses are not the same for each asset, please print out multiple copies of this page to submit with the claim. If you have documentation that supports your interest in the claimed assets (e.g., bill of sale, retail installment agreements, contracts, titles or mortgages), please include copies of the documents with the submission of the claim.*

INTEREST IN PROPERTY INFORMATION	
Asset ID	Asset Description
19-USP-001659	\$8,170.00 U.S. Currency, SN: **** seized by the USPIS on May 20, 2019 in Yakima, WA.

**In the space below, please explain why you have a valid, good faith, and legally recognizable interest in this asset:**

The monies that you took via seizure are not part of any money laundering it is repayment from a past loan. The monies were sent via mail because depositing it to my bank was not possible and supposedly mailing money is not illegal.

**In the space below, please list any documents you are including in support of your interest in the asset(s). If none are included, please explain why.**

It was repayment from a past loan.

**SECTION IV - RECOVERY OF LOSS**

No Recovery of Loss exists.

**SECTION V - DECLARATION**

*The following declaration must be completed by the claimant.*

I attest and declare under penalty of perjury that my claim is not frivolous and the information provided in support of my claim is true and correct to the best of my knowledge and belief.

Electronically Signed

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
Murphy, Phyllis

**Printed Name**

\_\_\_\_\_  
7/8/19

**Date**

If a court finds that a claimant's assertion of an interest in property was frivolous, the court may impose a civil fine. Title 18 United States Code, Subsection 983(h). A false statement or claim may subject a person to criminal prosecution under Title 18 United States Code, Sections 1001 and 1621.